



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application No.	09/295,690
		Filing Date	April 21, 1999
		First Named Inventor	Jerome A. Mouton, Jr.
		Art Unit	2162
		Examiner Name	Fleurantin, Jean B.
Total Number of Pages in This Submission	8	Attorney Docket Number	81862P122

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<div style="border: 1px solid black; padding: 5px;">Summary of Record of Interview under MPEP 713.04, postcard.</div>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Basic Filing Fee		
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard W. Thill, Reg. No. 53,686 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	4-3-06

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Deborah A. McGovern
Signature	
Date	April 3, 2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 11/30/2005.
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O I P E
APR 05 2006
PATENT & TRADEMARK OFFICE
IAPAS

Attorney's Docket No. 81862.P122

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jerome A. Mouton, Jr. et al.
Serial No. 09/295,690
Filed: April 21, 1999
For: METHOD AND APPARATUS FOR
UPGRADING A DATABASE IN A
REDUNDANT ENVIRONMENT BY
RELEASE CHAINING

EXAMINER: FLEURANTIN, JEAN B.

ART UNIT: 2162

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

SUMMARY OF RECORD OF INTERVIEW UNDER MPEP 713.04

This paper is responsive to the Examiner's Interview Summary mailed March 2, 2006.

FIRST CLASS CERTIFICATE OF MAILING

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Date of Deposit

Deborah A. McGovern

Name of Person Mailing Correspondence

Steve Yeller

Signature

April 3, 2006

Date

Examiner Interview Summary

The Examiner granted a telephonic interview on February 22, 2006 with applicants' representative, Richard Thill (Reg. No. 53,686). The purpose of the interview was to clarify the basis of the 35 USC 101 rejections of claims 1, 5, 9 and 13 of the application in the Office Action mailed September 9, 2005 ("Office Action").

Applicants' representative argued to the Examiner that the rejections of claims 1, 5, 9 and 13 under 35 USC 101 were improper because the rejections were based on the preamble phrases "A method" (claim 1), "An article of manufacture" (claims 5 and 9), and "An apparatus" (claim 13), all of which are all statutory subject matter under any reading of the statute. No agreement was reached. The Examiner offered to consider any timely response filed by the applicants.

Applicants filed a timely response to the Office Action on March 9, 2006, which also included a summary of subsequent Examiner Interviews conducted on March 3, 2006.

If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Richard Thill at (408) 720-8300.

If there are any additional charges, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP



Dated: 4-3, 2006

Richard W. Thill
Registration No. 53,686

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300



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AF

EEI TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$ 120.00)

<i>Complete if Known</i>	
Application Number	09/295,690
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Examiner Name	Fleurantin, Jean B.
Art Unit	2162
Attorney Docket No.	81862P122

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments
under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify)

SUBTOTAL (2) (\$ 120.00)

SUBMITTED BY

Complete (if applicable)

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Richard W. Thill	Registration No. (Attorney/Agent)	53,686	Telephone	(408) 720-8300
Signature				Date	4-3-06

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 12/15/2004.
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